IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA VALDOSTA DIVISION

DAVID T. TERRELL, SR.,

:

Petitioner,

:

v. : Case No. 7:08-CV-71(HL)

:

ANTHONY WASHINGTON, Warden,

:

Respondent.

: ORDER

Before the Court is the Magistrate Judge's Report and Recommendation ("R&R") (Doc. 20) on Respondent's Motion to Dismiss (Doc. 9) and Petitioner's Motion for Summary Judgment (Doc. 10). The R&R recommends granting Respondent's Motion to Dismiss and denying Petitioner's Motion for Summary Judgment. Petitioner has filed a timely Objection (Doc. 21). Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered Petitioner's Objection and has made a de novo determination of the portion of the R&R to which he objects. After careful consideration, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge.

SO ORDERED, this the 2nd day of March, 2009.

<u>s/ Hugh Lawson</u>
HUGH LAWSON, Judge

dhc